SINGLE BENCH

C.S. 1001

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH
AT BILASPUR

W.P.NO. 1565 / 2005

Petitioner : Subri Bai, Widow of Lalchand, Aged about 75 years, Caste Mahar, R/o Village Hatkachora, Jagdalpur, Dist. Bastar (C.G.)
Respondent

Versus

Respondent : Smt. Jugri Bai, W/o Ram, Caste Mahar, R/o Village Hatkachora, Jagdalpur, Dist. Bastar (C.G.)
Plantiff

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(51)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... WP 1565/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Gowri	**26-04-2005** Shri P. Diwakar, Sr. Advocate with Shri P.R. Patankar, counsel for the petitioner. Heard. This petition under Article 227 of the Constitution of India has been filed against the order dated 7-3-2005 passed by the IVth Additional District Judge, Jagdalpur in Civil Appeal No.03-A/2005, whereby the application filed by the petitioner under Order 6 Rule 17 and application under Section 107 read with Section 151 of the Code of Civil Procedure have been rejected after its hearing. Learned counsel for the petitioner submits that the appeal is fixed for today for its final arguments. Having considered the facts and circumstances of the case and material on record, on perusal of the order of the Court below and in view of the law laid down by the Apex Court in the case of ***Surya Dev Rai vs Ramachander Rai*** reported in ***AIR 2003 SC 3044***, in the opinion of this Court, no case for interference in the impugned order is made out in exercise of extra-ordinary jurisdiction under Article 227 of the Constitution of India. However, the petitioner may raise the grounds in an appeal in case such an eventuality arises. With the aforesaid observations, the petition stands disposed of. Consequently, M.(W.).P.No.1223/05 and I.A.No. 3039/05 also stand disposed of. **Sd/-** **Fakhruddin** **Judge**	

(पीछे देखिये)